

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LESTER O TAYLOR,

No. C 11-01402 SI

Plaintiff,

**ORDER TO SHOW CAUSE WHY CASE  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO PROSECUTE**

v.

WELLS FARGO BANK, N.A.; WELLS  
FARGO HOME MORTGAGE; WORLD  
SAVINGS BANK; CAL WESTERN  
RECONVEYANCE; and DOES 1-50,  
Inclusive,

Defendants.

On August 25, 2011, defendants filed a motion to dismiss plaintiff's amended complaint. The motion is scheduled for a hearing on October 7, 2011. Pursuant to Civil Local Rule 7-3(a), plaintiff's opposition was due by September 8, 2011. Plaintiff has not yet filed an opposition.

This is not the first time plaintiff has failed to appropriately file in his case. On June 3, 2011, the Court granted defendants' motion to dismiss without prejudice, with leave to file an amended complaint by June 24, 2011. Plaintiff filed a document on that date with the caption "plaintiff's opposition to [defendants'] motion to dismiss." Doc. 19. Despite the fact the filing did not include the information the Court ordered plaintiff to include in his amended complaint, the Court construed the filing as an amended complaint. Doc. 22. Plaintiff also did not file a case management statement or appear at the scheduled case management conference on July 1. *Id.* at 2.


Plaintiff is hereby **ORDERED TO SHOW CAUSE in writing to be filed no later than October 7, 2011**, why this case should not be dismissed without prejudice for failure to prosecute. *See* Fed. R. Civ. Proc. 41(b). Plaintiff is notified that an inadequate or untimely response will result in

1 dismissal.

2 The October 7, 2011 hearing on defendants' motion to dismiss is VACATED, and will be  
3 rescheduled if necessary.

4  
5 **IT IS SO ORDERED.**

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7 Dated: September 20, 2011

  
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SUSAN ILLSTON  
United States District Judge